

**Remarks:**

In the Office Action mailed on October 20, 2008, the Examiner rejected claims 1-7, 10-35 and 37-48. Claims 16-26, 39-42 and 45-48 are objected to. Claims 1, 16, 17, 19, 22, 25, 31 and 39 are amended herein and Claims 14-15 and 38 have been cancelled.

Claim 49 is added herein. Support for this claim can be found in the specification, page 4 lines 20-28. Accordingly no new matter has been added.

Claims 1-7, 10-13, 16-37, and 39-49 are now pending in the application.

**Claim Objections**

Claims 16-26, 39-42 and 45-48 are objected to as being dependant from a rejected claim base but as allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

**35 USC 112**

Claim 37 stands rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter. The Examiner stated “Applicant claims ‘the content of the user’s speech’. It is not clear what does it mean in the context of speech spoken into the voice sensor”. Applicant’s have amended claim 37 to more clearly recite the subject matter.

Claim 14 is rejected under 35 U.S.C. 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter. Applicant’s cancel Claim 14 herein. Accordingly, the rejection is now moot.

Claim 13 recites the limitation “the speech” in line 2. The Examiner indicated that there is insufficient antecedent basis for this limitation. Claim

13 has been amended to recite “the at least one user’s speech”, for which Claim 12 provides antecedent basis.

Claim 10 recites the limitation “user speaking” in line 4. The Examiner indicated that there is insufficient antecedent basis for this limitation.. Claim 10 has been amended to: “The integrated circuit card of claim 2, wherein the integrated circuit is configured to execute a voice-transmitted command from the at least one user by comparing the characteristics of the voice sensor signal to information stored in the memory indicative of the voice characteristics of the at least one user speaking the command.” Applicants posit that there is sufficient antecedent basis in the claim as amended.

Claim 31 recites “the voice” in line 2. The Examiner indicated that there is insufficient antecedent basis for this limitation. Claim 31 has been amended to recite “a user’s voice” instead of “the user’s voice.” This change also establishes antecedent for “the user,”

Claim 32-33 and 37 recite “the user’s voice” and “the user’s speech” respectively. These claims depend from Claim 31, which now provides antecedent basis for the limitations recited in Claims 32-33 and 37.

Based on the amendments to the claims as described above, Applicant’s respectfully request that the 35 U.S.C. 112 rejections be withdrawn.

### **35 USC 102**

Claims 1-2, 10, 12-13, 31, 35, 37 and 43 are rejected as being anticipated by Nitta (US 4851654) Applicants traverse the rejection.

### **Claim 1**

In the office action mailed on October 20, 2008, the Examiner states “In prior art and non-patent literature there is not disclosed or taught the

components that make up the pressure sensor” (Office Action page 2 lines 11-12). Claim 1, as amended, recites:

An integrated circuit card, comprising:

an integrated circuit having a biometric voice sensor integrated into a portion of the integrated circuit, the biometric voice sensor comprising a pressure sensor and wherein the voice sensor is configured to detect the speech of a user and to produce a signal responsive to the speech of the user; and

a voice processing circuit integrated into a portion of the integrated circuit, wherein the voice processing circuit is configured to receive the signal from the biometric voice sensor and to process the signal to extract the voice characteristics representative of the user.

The Examiner has indicated that the prior art (which would include Nitta) fails to disclose the “biometric voice sensor comprising a pressure sensor” (Office Action, Page 2, lines 10-11) which is now set forth in Claim 1. Therefore Claim 1 is not anticipated by Nitta and is patentable over Nitta.

### **Claim 31**

Claim 31 has been amended in a manner similar to Claim 1 above. The Claim now recites the limitation of the voice sensor comprising a pressure sensor. And for the reasons stated above in support of Claim 1, Claim 31 is not anticipated by Nitta and therefore patentable over Nitta.

The dependent claims depend from Claims 1 and 31, respectively, provide further unique and non-obvious combinations, and are patentable over the cited prior art for the reasons given in support of Claims 1 and 31 and by virtue of such further combinations.

### **35 USC 103**

Claims 4 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nitta in view of Takahashi (US Patent 4,961,229, hereinafter “Takahashi”).

Claims 3, 11, 14, 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nitta in view of Kennedy (US Patent 6,084,967, hereinafter "Kennedy").

Claims 5-7 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nitta in view of Takahashi as applied to claim 4 and 33 respectively above and further in view of Kennedy.

Claims 15, 27, 38 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nitta in view of Maes et al (US Patent 6,411,933, hereinafter "Maes").

As shown above, Claim 1 and 31 are patentable over Nitta. The Examiner admits that the prior art and non-patent literature do not disclose the components that make up the pressure sensor. The dependent claims depend from Claims 1 and 31 and offer new and non-obvious combinations and are therefore patentable over Nitta and any combination of Takahashi, Kennedy or Maes.

### **CONCLUSION**

It is submitted that all of the claims now in the application are allowable. Applicants respectfully request consideration of the application and claims and its early allowance. If the Examiner believes that the prosecution of the application would be facilitated by a telephonic interview, Applicants invite the Examiner to contact the undersigned at the number given below.

Applicants respectfully request that a timely Notice of Allowance be issued in this application.

Respectfully submitted,

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